



10-05-05

RCE 1/651/05
JFW

Atty. Dkt. No. 047711-0288

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rajiv Shah et al.


Title: METHOD FOR
FORMULATING AND
IMMOBILIZING A MATRIX
PROTEIN AND A MATRIX
PROTEIN FOR USE IN A
SENSOR

Appl. No.: 10/033,723

Appl. Filing Date: 12/27/2001

Examiner: David M. Naff

Art Unit: 1651

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 44522690 US (Express Mail Label Number)	October 3, 2005 (Date of Deposit)
Jose Ramos (Printed Name)	
 (Signature)	

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/06/2005 HDESTA1 00000042 500872 10033723
01 FC:1801 790.00 DA

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

- ☐ Please enter and consider the amendment and/or reply previously filed on ____.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply previously filed on ____.
- ☐ Other ____.
- b. Enclosed are:
- ☒ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of ____ listed reference(s).
- ☒ Other . Replacement drawing of Figure 1a (1 sheet).

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	49	- 40	= 9	x \$50.00	= \$450.00
Independents	4	- 3	= 1	x \$200.00	= \$200.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00
CLAIMS FEE TOTAL:					= \$1440.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$0.00
	EXTENSION FEE ALREADY PAID: -			\$0.00
	EXTENSION FEE TOTAL			\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$1440.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$1440.00

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$1440.00. A duplicate copy of this transmittal is enclosed.

- ☐ A check in the amount of \$1440.00 to cover the filing fee is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

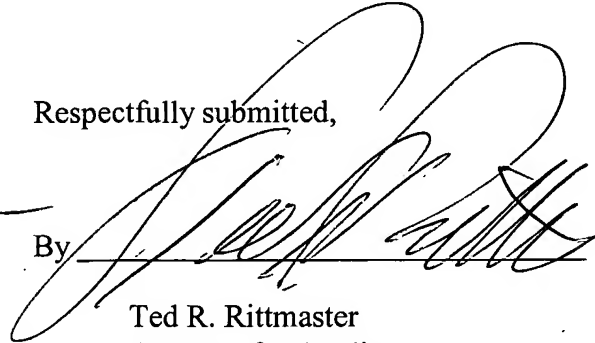
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

October 3, 2005

By



FOLEY & LARDNER LLP

Customer Number: 23392

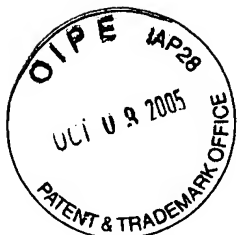
Telephone: (310) 975-7963

Facsimile: (310) 557-8475

Ted R. Rittmaster

Attorney for Applicant

Registration No. 32,933



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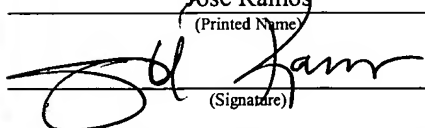
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Jose Ramos (Printed Name)	
 (Signature)	

**AMENDMENT AND REPLY ACCOMPANYING REQUEST FOR CONTINUED
EXAMINATION UNDER 37 CFR 1.114**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/06/2005 HDESTA1	00000042	500872	10033723
02 FC:1201	200.00	DA	
03 FC:1202	450.00	DA	

Sir:

This communication is responsive to the Final Office Action dated July 1, 2005, concerning the above-referenced patent application, and is being filed concurrently with a request for continued examination.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Amendments to the Drawings begin on page 11 of this document, and include an attached replacement drawing sheet.

Remarks/Arguments begin on page 12 of this document.

Please amend the application as follows: